

1 COOPER, WHITE & COOPER LLP
 2 CHRISTOPHER J. MEAD (SBN 115091)
 cmead@cwclaw.com
 3 SCOTT M. MCLEOD (SBN 242035)
 smcleod@cwclaw.com
 4 201 California Street, 17th Floor
 San Francisco, California 94111
 Telephone: (415) 433-1900
 5 Facsimile: (415) 433-5530

6 Attorneys for Defendant Ballet San Jose Silicon
 Valley, Inc. (erroneously sued as Ballet San Jose,
 7 Inc.)

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9 **UNITED STATES DISTRICT COURT**10 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

11

12 DENNIS NAHAT, an individual,

CASE NO. C 13-02896 SBA

13 Plaintiff,

**STIPULATION AND PROPOSED ORDER
TO EXTEND TIME TO RESPOND TO
MOTION TO REMAND STATE LAW
CLAIMS**

14 vs.

15 BALLET SAN JOSE, INC., a corporation, and
DOES ONE through TWENTY,

Judge: Hon. Saundra B. Armstrong
 Date: November 12, 2013
 Time: 1:00 p.m.
 Crtrm.: 1

16 Defendants.

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Trial Date: None Set

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The parties, by and through counsel, stipulate as follows:

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20 1. On September 11, 2013 Plaintiff Dennis Nahat filed a Motion to Remand State
 Law Claims For Lack of Jurisdiction and, in the Alternative, Be Remanded in the Court's Statutory
 21 Discretion ("Motion to Remand"), set to be heard November 12, 2013 at 1:00 p.m. in Courtroom 1
 before the Hon. Saundra B. Armstrong.

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23 2. Defendant Ballet San Jose Silicon Valley, Inc. ("BSJ") was served on September
 24 11, 2013, and its response is currently due on September 25, 2013, and Plaintiff's reply is due
 October 2.

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26 3. BSJ seeks an extension of the time to respond because lead counsel for BSJ is out

27

28 729176.1

C 13-02896 SBA

 STIPULATION AND PROPOSED ORDER TO EXTEND TIME TO RESPOND TO MOTION TO REMAND STATE
 LAW CLAIMS

1 of the country from September 8 through September 22.

2 4. There have been no prior extensions of time regarding this motion. Plaintiff
3 requested an extension of time to respond to Defendant's Motion to Dismiss. The parties
4 stipulated to that extension, which the Court ordered on July 19, 2013. (Docket #15.)

5 5. The requested time modification will not have an effect on the schedule of the case
6 as the Motion to Remand is set for hearing on November 12, 2013.

7 6. Pursuant to Civil Local Rule 6-2, the parties hereby stipulate that BSJ's response
8 shall be due **October 4, 2013** and any reply shall be due **October 11, 2013**.

9
10 DATED: September 18, 2013 COOPER, WHITE & COOPER LLP

11
12 By:

/s

13 Scott M. McLeod
14 Attorneys for Defendant Ballet San Jose
15 Silicon Valley, Inc. (erroneously sued as
16 Ballet San Jose, Inc.)

17 DATED: September 18, 2013 KERR & WAGSTAFFE LLP

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19 By:

20 James M. Wagstaffe
21 Attorneys for Plaintiff Dennis Nahat

ORDER

Having reviewed the above stipulation submitted by the parties, and good cause appearing, the Court hereby orders the following:

1. The deadline for BSJ to respond to the Motion to Remand is **October 4, 2013**.
 2. The deadline for any reply is **October 11, 2013**.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 19, 2013

Saundra B. Armstrong
Saundra B. Armstrong